

**STATE OF ILLINOIS TORTURE INQUIRY  
AND RELIEF COMMISSION**

Meeting of the Torture Inquiry and Relief Commission  
October 25, 2010  
10:00 a.m.

James R. Thompson Center  
Conference Room 09 – 031  
100 W. Randolph Street  
Chicago, Illinois

MINUTES

**PRESENT:**

Commissioners

Chairman Patricia Brown-Holmes  
Leonard Cavise  
Daniel Coyne  
Neil Toppel  
Rob Warden  
Andrea Zopp

Alternate

Commissioners

Robert Acton  
Bernetta D. Bush  
Doris Green  
Marcie Thorp  
Janette Wilson

Absent Commissioner

Paul Roldan

Attendees

Human Rights Commission

Harriet Parker, General Counsel  
Ewa Ewa, Chief Fiscal Officer  
Michael Evans, Chief Administrative Law Judge  
LaNade Bridges, Private Secretary

CMS

James Sledge, Director

Jacob N. Stuckey, Assistant to the Director  
Tasha Green Cruzat, Chief Fiscal Officer  
Margaret Van Dijk, Deputy Director for the Bureau of Personnel  
(via telephone)  
Christina Griffin, Agency Personnel Liaison  
(via telephone)

Members of the Public:

Victor Jones  
Kellye Keyes

**NOTICE:**

Closed Meetings of the Illinois Torture Inquiry and Relief Commission are audio recorded and Public Meetings may be audio recorded.

**I. Call to Order**

On October 25, 2010, at 10:05 a.m. Chairman Patricia Brown-Holmes called to order a meeting of the Illinois Torture Inquiry and Relief Commission, ("TIRC")

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting without the physical presence of Commissioner Roldan. Prior to the meeting, Commissioner Roldan gave notice (and good cause as defined by the Illinois Open Meetings Act) to the Chairman, Patricia Brown-Holmes of his inability to attend today's meeting.

**II. Consideration of Minutes**

September 10, 2010

The TIRC voted to approve the minutes subject to an amendment of the minutes, at *Present Commissioners*, to correct the spelling of Commissioner Cavise's last name. Motion to approve the minutes as amended made by Commissioner Cavise and seconded by Commissioner Zopp. Motion carried 10-0.

### **III. Introduction of Members:**

Chairman Holmes greeted the assembly and invited the members of the TIRC to introduce themselves. In response to an inquiry from Alternate Commissioner Green, Chairman Holmes explained that Alternate Commissioners substitute in for their assigned absent Commissioner and may vote in his or her stead. When not substituting in for an absent Commissioner, Alternate Commissioners may participate in a TIRC meeting but may not vote.

### **IV. Short Term Goals**

Reports from CMS staff regarding personnel matters, office space, furniture, equipment and personnel was moved up on the Agenda due to time restraints of some CMS personnel. Chairman Holmes reported on her visit along with CMS Director Sledge, to view potential office space located in the Bilandic building. Chairman Holmes stated the space perfectly meets the needs of the TIRC. The TIRC will share the common areaway with another agency. The TIRC space includes two offices, receptionist space, and a reception area with a shared copy-fax area, conference room, and break area. The space is already equipped for telephone, computer and fax line installations.

#### **A. CMS Update Regarding Procurement of Personnel**

Chairman Holmes stated she and Director Sledge have been working on job descriptions for the TIRC positions of Executive Director (“ED”), Staff Attorney/Investigator, and Administrative Assistant. Chairman Holmes and Commissioner Toppel have interviewed candidates for the ED position and from those interviews have selected the 3 best qualified candidates. All 3 candidates have been invited to today’s meeting and will be interviewed today by the TIRC.

Director Sledge introduced his staff participating via the telephone, including Margaret Van Dijk, Deputy Director for the Bureau of Personnel and Christina Griffin Agency Personnel Liaison. Ms. Van Dijk, explained that the ED will be classified as a Senior Public Service Administrator (“SPSA”) and that this position will be at-will and Rutan exempt. CMS plans to have all required documentation completed for approval by the Illinois Civil Service Commission (“Civil Service Commission”) of a 43 exemption for the ED position before the next November 19, 2010, Civil Service Commission meeting. Chairman Holmes has authority to provisionally appoint an ED subject to E-par approval by the Office of the Governor. The plan is to have the ED hired and in place by November 19, 2010.

The Staff Attorney/Investigator position and the Administrative Assistant position may be classified under a collective bargaining agreement. If so classified (these positions will also most likely be determined to be non Rutan exempt and) they will

be filled via a competitive application process open for application to all current State employees and most likely subject to veteran preference considerations. In any event, the latter two positions will not be filled before November 19, 2010.

**B. CMS Update Regarding Furniture, Technology, and Office Space**

Director Sledge stated CMS will identify office furniture from surplus warehouse inventory. Office equipment including computers, printers, copiers and fax machine will be purchased if not otherwise identified. Prior to the purchase of any equipment the Governor's Office of Management and Budget (GOMB) is required to prepare an operating budget for this fiscal year, for the TIRC. Once GOMB has completed an operating budget for the TIRC and assigned an operating number the TIRC may make purchases and bill for services.

**V. Budget Update**

Chairman Holmes stated that the TIRC budget for FY2011 has been provisionally approved at \$375,000 to cover salaries, benefits, office equipment and supplies, and operating costs. Salary ranges for all 3 positions have been discussed and considered, including an ED salary range of \$80,000 to \$120,000, a Staff Attorney/Investigator salary range of \$60,000 to \$80,000, and an Administrative Assistant salary range of \$40,000 to \$60,000. It is anticipated the initial offered salaries will be towards the lower end of the salary scale due to the as yet unidentified costs of benefits and all other administrative startup expenses associated with the establishment of a new State Agency.

Copies of the job descriptions of the 3 TIRC positions were passed out to the Commissioners. The TIRC reviewed the Investigator position and determined a staff attorney serving in the dual capacity of Staff Attorney and Investigator would better suit the needs of the TIRC. There was a short discussion regarding the procedure for case acceptance. Should only Burge related torture cases be accepted or should all alleged police torture cases be accepted with priority given to Burge cases as provided in the statute? It was decided clarification is needed on these issues as soon as possible, along with operating rules and procedures for the TIRC.

**VI. Introduction of the 3 Candidates for the Position of Executive Director**

The 3 ED candidates have been scheduled for interviews today commencing at 10:30 a.m. Each candidate will have 10 minutes to present his or her qualifications for the position of ED, followed by a Q&A. As each of the 3 candidates are well qualified attorneys, Chairman Holmes requested the Commissioners focus and identify the specific qualities of the candidates that make him or her the best fit for the position of ED of the TRIC.

Commissioner Zopp questioned the ten minutes interview timeline and suggested the TIRC go into Executive Session to discuss the candidates given the option of a provisional hire. It was determined, at the close of the interviews the TIRC will go into Executive Selection to select the most qualified candidate. The TIRC will then come out of Executive Session to vote for the chosen ED Candidate.

The Chair recognized a member of the public, Victor Jones, who questioned why the job descriptions were not made available to members of the public today. CMS Director Sledge explained that the job descriptions given to the Commissioners today are prospective job descriptions and have not been approved as the final job descriptions for these positions. Once the job descriptions for these positions have been finalized they will be made available to the public. Chairman Holmes also shared that the TIRC is working within the guidelines of the Open Meetings Act. The Act does allow the Chairman to engage in various activities on behalf of the TIRC.

Chairman Holmes introduced the first candidate for the position of ED, Ms. Kelly Keyes and asked Ms. Keyes to explain why she should be selected the ED of the TIRC. Ms. Keyes distributed handouts to the Commissioners that detailed her short and long term goals and plans for the TIRC. At the conclusion of the interview Chairman Holmes thanked Ms. Keyes and stated that she would be notified of the decision of the TIRC.

Chairman Holmes next introduced Professor David Thomas, and asked Professor Thomas to explain why he wanted to be selected the ED of the TIRC. At the conclusion of the interview Chairman Holmes thanked Professor Thomas and stated that he would be notified of the decision of the TIRC.

Chairman Holmes introduced the third candidate, Mr. Sussman and asked Mr. Sussman to explain why he wanted to be the ED and why he should be hired. At the conclusion of the interview Chairman Holmes thanked Mr. Sussman, and stated that he would be notified of the decision of the TIRC.

## **VII. Executive Session**

Pursuant to the Open Meetings Act (5 ILCS 120/2(c)(1)), the Commission voted to close a portion of the public meeting at 11:25 a.m. in order to discuss personnel matters. Motion made by Commissioner Zopp and seconded by Commissioner Toppel. Motion carried 6-0.

At 11:50 a.m., the open meeting resumed.

The TIRC voted to offer Professor David Thomas the position of ED of the TIRC. Motion made by Commissioner Wilson and seconded by Commissioner Warden. Motion carried 6-0.

### **VIII. Twelve Month Meeting Calendar**

The Calendar of meetings of the TIRC was presented. The Calendar schedule is as follows:

- December 13, 2010 at 10:00 a.m.,
- April 11, 2011 at 3:00 p.m.,
- June 20, 2011 at 3:00 p. m.,
- August 23, 2011 at 3:00 p.m.,
- October 18, 2011 at 3:00 p.m.

All meetings will be held in Room 2-025 of the James R. Thompson Center.

Commissioner Zopp suggested sending the calendar to the absent Commissioners. Chairman Holmes stated because the calendar has been an agenda item for the last 2 meetings, approval of the calendar should be completed today. The Chairman explained that the twelve month calendar of the public body's meetings must either be posted on the website at the start of the fiscal year, July 1, or at the start of the calendar year, January 1. Chairman Holmes announced that the TIRC will publish its twelve month calendar on the website commencing January 1, 2011.

### **IX. Adjournment**

The meeting was adjourned at 12:10 p.m. Motion made by Commissioner Green and seconded by Commissioner Zopp. Motion carried 6-0.

Respectfully submitted,

Patricia Brown-Holmes, Chairman  
Torture Inquiry and Relief Commission